

February 19, 2010

AGENDA  
ILLINOIS CIVIL SERVICE COMMISSION  
February 19, 2010

I. OPENING OF MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET,  
SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR MEETING HELD JANUARY 15, 2010

**WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR  
MEETING HELD JANUARY 15, 2010?**

IV. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

**A. Report on Exempt Positions**

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging .....	144.....	9
Agriculture .....	432.....	16
Arts Council.....	19.....	2
Capitol Development Board .....	45.....	0
Central Management Services .....	1,436.....	115
Children and Family Services .....	3,044.....	48
Civil Service Commission .....	4.....	0
Commerce & Economic Opportunity .....	434.....	68
Commerce Commission.....	71.....	0
Corrections.....	11,477.....	104
Criminal Justice Authority.....	59.....	5
Deaf and Hard of Hearing Comm. ....	7.....	1
Developmental Disabilities Council .....	9.....	1
Emergency Management Agency .....	96.....	6
Employment Security.....	1,970.....	24
Environmental Protection Agency .....	938.....	17
Financial & Professional Regulation .....	500.....	41
Gaming Board.....	83.....	7
Guardianship and Advocacy .....	112.....	7
Healthcare and Family Services.....	2,321.....	26
Historic Preservation Agency .....	200.....	11
Human Rights Commission .....	14.....	2
Human Rights Department .....	148.....	9
Human Services .....	13,701.....	75
Insurance.....	231.....	9
Investment Board.....	3.....	1
Juvenile Justice .....	1,245.....	20
Labor.....	80.....	7
Labor Relations Board Educational .....	12.....	2
Labor Relations Board State .....	18.....	2
Law Enforcement Training & Standards Bd.....	17.....	2
Medical District Commission .....	2.....	0
Military Affairs .....	122.....	3
Natural Resources .....	1,301.....	24
Pollution Control Board.....	19.....	1
Prisoner Review Board .....	20.....	0
Property Tax Appeal Board .....	21.....	1
Public Health.....	1,097.....	43
Racing Board .....	3.....	0
Revenue .....	2,052.....	61
State Fire Marshal.....	141.....	12
State Police .....	1,342.....	5
State Police Merit Board.....	6.....	1
State Retirement Systems .....	84.....	2
Transportation.....	4,181.....	0
Veterans' Affairs.....	1,194.....	7
Workers' Compensation Commission .....	173.....	8
TOTALS .....	50,628.....	805

**B. Governing Rule – Jurisdiction B Exemptions**

- a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:
  1. The Governor, or
  2. A departmental director or assistant director appointed by the Governor, or
  3. A board or commission appointed by the Governor, or
  4. The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or
  5. In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or
  6. A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutory exempt position(s), or
  7. The elected head of an independent agency in the executive, legislative, or judicial branch of government.
- b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:
  1. Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.
  2. Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.
  3. Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

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**C. Illinois Department of Employment Security – Proposed Exemption (continued from January 15, 2010)**

Position Number	40070-44-46-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of Programs/Planning & Procedures
Functional Title	Manager, Bureau of Planning & Procedures
Incumbent	Vacant
Supervisor	Executive Deputy Director, Office of Programs, who reports to the Director
Location	Cook County

**CMS Recommendation:** “This position does meet the reporting criteria of the Commission Rules and considering the similarities of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**D. Illinois Department of Natural Resources – Proposed Exemption (continued from January 15, 2010)**

Position Number	40070-12-01-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Community Outreach
Functional Title	Manager, Office of Community Outreach
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “The position meets the reporting criteria of the Commission Rules and considering the similarity of this position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**E. Illinois Department of Corrections – Proposed Exemption**

Position Number	40070-29-00-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief Public Safety officer
Incumbent	Vacant
Supervisor	Director
Location	Cook County

**CMS Recommendation:** “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**F. Illinois Department of Corrections – Proposed Exemption**

Position Number	40070-29-00-200-10-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Public Safety Officer Liaison
Incumbent	Vacant
Supervisor	Chief Public Safety Officer, who reports to the Director
Location	Cook County

**CMS Recommendation:** “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**G. Illinois State Police – Proposed Exemption**

Position Number	40070-21-00-040-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Chief of Staff
Incumbent	Jessica L. Trame-Butler
Supervisor	First Deputy Director, a sworn officer who reports to the Director
Location	Sangamon County

**CMS Recommendation:** “The position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

**WILL THE COMMISSION GRANT THE REQUESTS FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

- C: Manager, Bureau of Planning & Procedures**
- D: Manager, Office of Community Outreach**
- E: Chief Public Safety Officer**
- F: Public Safety Officer Liaison**
- G: Chief of Staff**

**H. Proposed rescissions in accordance with Rule 11(c) of the Rules of the Civil Service Commission (continued from August 21, 2009 and November 19, 2009)**

On July 17, 2009 and October 20, 2009, the Executive Director sent notices to Central Management Services and each agency of the proposed rescission of the following 4d(3) exempt positions which may no longer meet the requirements for exemption. Rule 11(c) also provides that withdrawal of exemption shall be approved after the Commission has determined that an adequate level of managerial control

exists in exempt status positions which will ensure responsive and accountable administrative control of the programs of the agency. At the Civil Service Commission meeting of August 21, 2009 these rescissions were continued to the November 20, 2009 meeting. On November 20, 2009 these rescissions were continued to the February 19, 2010 meeting.

Item	Agency	Position Number	Functional Title
H1	CMS	40070-37-80-100-01-02	Media Administrator
H2	CMS	40070-37-80-100-01-05	Media Administrator
H3	CMS	40070-37-80-100-01-07	Media Administrator
H4	CMS	40070-37-80-100-01-08	Media Administrator
H5	CMS	40070-37-80-100-00-01	Statewide Media Relations
H6	DHS	40070-10-00-000-84-01	Executive Assistant to the Secretary
H7	DHS	40070-10-12-100-00-01	Special Management Assistant
H8	CMS	40070-37-13-000-00-01	BCCS-Telecommunications Manager
H9	FPR	40070-13-20-400-00-01	Credit Unions
H10	FPR	40070-13-40-932-00-01	Chief, Business Prosecutions
H11	DHS	40070-10-76-000-30-01	Manager-Administrative Services Organization Contracts
H12	INS	40070-14-20-000-00-01	Deputy Director-Workers' Comp. Fraud
H13	DNR	40070-12-04-000-00-01	Executive Director, World Shooting Complex

**I. Illinois Dept. of Central Management Services – Proposed Rescission**

Position Number	40070-37-28-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Statewide Services
Functional Title	Manager, Diversity Enrichment Program
Incumbent	Vacant
Supervisor	Division Manager
Location	Cook County

**CMS Recommendation:** “Because the position will no longer meet the reporting criteria of the Commission, and due to the diminished authority now vested, the Department requests the 4d(3) be removed.”

**WILL THE COMMISSION RESCIND THE EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?**

- H1: Media Administrator**
- H2: Media Administrator**
- H3: Media Administrator**
- H4: Media Administrator**

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- H5: Statewide Media Relations**
- H6: Executive Assistant to the Secretary**
- H7: Special Management Assistant**
- H8: BCCS-Telecommunications Manager**
- H9: Credit Unions**
- H10: Chief, Business Prosecutions**
- H11: Manager, Administrative Services Organization Contracts**
- H12: Deputy Director, Workers' Compensation Fraud**
- H13: Executive Director, World Shooting Complex**
- I: Manager, Diversity Enrichment Program**

V. CLASS SPECIFICATIONS

- None submitted.

**WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?**

VI. MOTION TO GO INTO EXECUTIVE SESSION

**PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION HOLD AN EXECUTIVE SESSION TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?**

VII. RECONVENE MEETING

VIII. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

<b>Agency</b>	12/31/09	<b>1/31/10</b>	1/31/09
Aging	2	<b>1</b>	0
Agriculture	0	<b>1</b>	0
Central Management Services	1	<b>0</b>	2
Children and Family Services	9	<b>5</b>	3
Commerce and Economic Opportunity	0	<b>2</b>	0
Criminal Justice Authority	0	<b>0</b>	1
Employment Security	3	<b>4</b>	4
Healthcare and Family Services	5	<b>3</b>	3
Historic Preservation Agency	0	<b>1</b>	0
Human Services	1	<b>0</b>	2
Natural Resources	15	<b>6</b>	4
State Police	0	<b>0</b>	1
Transportation	15	<b>21</b>	17
Veteran's Affairs	0	<b>0</b>	3
Workers' Compensation Commission	0	<b>0</b>	1
<b>Totals</b>	51	<b>44</b>	41

IX. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEAL

• **DISCHARGE**

**DA-10-10**

Employee	Daniel L. Coleman	Appeal Date	08/17/09
Agency	DHS	Decision Date	02/05/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Failure to return from leave; unauthorized absences	Recommended Decision	Charges are proven and warrant 90-day suspension.

**DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?**

• **DISCHARGE**

**DA-11-10**

Employee	Cleophus Barnes	Appeal Date	09/29/09
Agency	DHS	Decision Date	02/05/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences	Recommended Decision	Charges are proven and warrant discharge.

**DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?**

• **DISCHARGE**

**DA-18-10**

Employee	Tierra S. English	Appeal Date	11/17/09
Agency	DHS	Decision Date	02/05/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences	Recommended Decision	Charges are partially proven and warrant 20-day suspension.

**DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?**

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- **DISCHARGE**

**DA-22-10**

Employee	Carla D. Jackson	Appeal Date	11/30/09
Agency	DHS	Decision Date	02/05/10
Type	Discharge	ALJ	Daniel Stralka
Charge(s)	Unauthorized absences	Recommended Decision	Charges are proven and warrant 60-day suspension.

**DOES THE COMMISSION AFFIRM AND ADOPT THE RECOMMENDED DECISION IN THE ABOVE MATTER?**

X. **STAFF REPORT**

XI. **ANNOUNCEMENT OF NEXT MEETING**

**The next regular meeting is to be held on Friday, March 19, 2010 at 11:00 a.m. in the Commission's Chicago office.**

XII. **MOTION TO ADJOURN**